

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

STATE OF NEBRASKA, et al.,)	
)	
Plaintiffs,)	
)	No. 4:22-CV-1040-HEA
v.)	
)	
JOSEPH R. BIDEN, JR., et al.,)	
)	
Defendants.)	
)	

DEFENDANTS' UNOPPOSED MOTION FOR LEAVE TO FILE EXCESS PAGES

Defendants respectfully request leave to file a brief of up to 45 pages in support of their forthcoming opposition to Plaintiffs' motion for preliminary injunction. Good cause exists to grant this motion, as set forth below.

1. On September 29, 2022, Plaintiffs filed a 44-page memorandum in support of their motions for a temporary restraining order and for a preliminary injunction. ECF No. 5. They requested leave to file an overlength brief, ECF No. 2, and the Court granted them leave to file a brief "not to exceed 45 pages," ECF No. 11.

2. Defendants opposition brief is due on October 7, 2022. *See* ECF No. 17.

3. Defendants request leave to file an opposition brief commensurate with the length of Plaintiffs' preliminary injunction memorandum. Defendants respectfully submit that the requested extension is warranted in light of the complexity of the case and the number and importance of the legal issues involved.

4. Defendants have conferred with Plaintiffs, who consent to the relief requested in this motion. Accordingly, Defendants respectfully request leave to file a brief of up to 45 pages in opposition to Plaintiffs' preliminary injunction motion.

Dated: October 7, 2022

Respectfully submitted,

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/s/ R Charlie Merritt
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on October 7, 2022, a copy of the foregoing was filed electronically using this Court's CM/ECF system, and therefore served on all parties of record.

s/ R. Charlie Merritt

R. Charlie Merritt

Trial Attorney